

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JONATHAN ANTHONY RUSHING,

Petitioner,

v.

MAGGIE MILLER-STOUT,

Respondent.

CASE NO. C07-476-RSM

ORDER DISMISSING § 2254
PETITION

The Court, having reviewed petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, respondent's answer, the Report and Recommendation of the Honorable Monica J. Benton, United States Magistrate Judge, and the balance of the record, does hereby find and
ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner's petition for a writ of habeas corpus (Dkt. #6) is DISMISSED as untimely.
See 28 U.S.C. § 2244(d)(1)(A).
- (3) The Clerk is directed to send a copy of this Order to petitioner, and to counsel for respondent.

DATED this 14th day of March, 2008.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE